

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of September 15, 2011

Thursday, September 15, 2011, 9:00 a.m.
Basement Conference Room B-1
1400 W. Washington, Phoenix, AZ 85007

Board Members Present:

Board Chair Bill Cohagen
Vice Chair John O'Donnell
Charles Ramirez

David Sanderson
Becky Brimhall

Board Members Absent:

Toni Rodriguez
Jeanette Kieffer

Staff Present:

David Geriminsky
Valarie Wallace

Legal Counsel:

Nancy Beck

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Authored by: Valarie Wallace
Recommended by: David Geriminsky
Approved by the Board on October 20, 2011

Board of Respiratory Care Examiners Board Meeting Minutes

Regularly Scheduled Meeting of September 15, 2011

CALL TO ORDER

The Meeting was called to order at 9:00 a.m. by Board Chair Bill Cohagen.

CONSENT AGENDA

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All items listed with “C” are considered to be routine or have been previously reviewed by the Board of Respiratory Care Examiners, and will be enacted by one motion. There will be no separate discussion of these items unless a Board member so requests; in which event the item will be removed from the Consent Agenda, and placed in the Regular Agenda under Item R-2.

MOTION ON THE CONSENT:

There being no items requested to be removed, a motion was made by **David Sanderson** to approve all items on the Consent Agenda. **Board Vice-Chair John O’Donnell** seconded. **The Motion Passed**

C-1 APPROVAL OF MINUTES

Recommended for Approval

June 30, 2011

August 18, 2011

C-2 ACTION ON APPLICATIONS FOR LICENSURE

i. Permanent License Issuance

Recommended for approval by the Executive Director

Johanna Arquello	Stephen Bond	Christina Celardo	Shirley Cochlin
Christopher Ellis	Christine Frankovitch	Robert Heniz	Kevin Huynh
Jane Karumba	Adam Kienlen	Barbara Lesley	Janet Ruiz
Rene Taus	Paula Toffolo	Lorenzo Villalobos	LaShelia Walker
Jonathan Watson	Richard Wyse	Jennifer Urrea	

ii. Re-Application for Permanent Licensure

Recommended for approval by the Executive Director

Vicki Parker

iii. Ratification of Temporary Licenses Issued Pursuant to A.R.S. § 32-3521

Recommended for Ratification by the Executive Director

Ralph Baginski	Jacqueline Brogdon	Margaret Caponecchia	Anne Cole
Eric Durr	Jerome Eisenberg	Virginia Farley	Tiki Griffin
Helen Grim	Gena Hazelton	Simone Jackson	Jodi Janoe
Lesa Jones	Debra Kenney	Amber Little	Melissa Macaluso
Elizabeth Mandolesi	Monica Miller	Ethel Murray	Heather O'Kelley
Audrey Palmer	Robert Perez	Chris Pounds	Nyla Samuels
Germaine Swaadogo	Greg Shoemaker	Sharline Stress	Navanut Tulayanitigul
Robert Walker	Robert Walsh		

iv. Ratification of Temporary License Extension Issued pursuant to A.R.S. § 32-3521

Recommended for Ratification by the Executive Director

None

C - 3 ACTION ON ADMINISTRATIVE CLOSING OF APPLICATION FILES

Recommended for closing of application files

Jordan Dykstra	Doris Reamer	Janelle Rosen
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C - 4 ACTION ON ADMINISTRATIVE CLOSURE OF TWO-YEAR INACTIVE FILES

Recommended for closing of inactive files

Krystal Ashby	Joyce Burchwell	Sherry Del Re	L. Susan Faber
Jeanette Ferren	Christian Freese	Gina Hansen	Thomas Kane
Kristin Oden	Kenneth Remmert	Sara Selby	Linda Shoemaker
Vladimir Vassiliev			

C - 5 ACTION ON NOTICES OF LICENSE EXPIRATIONS

Recommend sending notice of License Expirations to the following individuals:

Ralph Baginski	Jacqueline Brogdon	Margaret Caponecchia	Anne Cole
Eric Durr	Jerome Eisenberg	Virginia Farley	Tiki Griffin
Helen Grim	Gena Hazelton	Simone Jackson	Jodi Janoe
Lesa Jones	Debra Kenney	Amber Little	Melissa Macaluso
Elizabeth Mandolesi	Monica Miller	Ethel Murray	Heather O'Kelley
Audrey Palmer	Robert Perez	Chris Pounds	Nyla Samuels
Germaine Swaadogo	Greg Shoemaker	Sharline Stress	Navanut Tulayanitigul
Robert Walker	Robert Walsh		

C - 6 ACTION ON RATIFICATION OF RENEWAL OF LAPSED LICENSES

Recommended to ratify licenses issued by the Executive Director to individuals who met requirements for renewal

Rapture Barba	Sirena Cameron	Elizabeth Ibarra	Robert Leitz
Rachel Nunez	Juan Perez	Terry Sandoval	R. Michelle Terrell
Misty Thompson			

C-7 ACTION ON RATIFICATION OF CONSENT AGREEMENTS AND LETTERS OF WARNING ISSUED

Items listed here will be proposed documents for the Board's consideration. The Board may choose not to ratify these documents, remove them from the Consent Agenda, and place them in the Regular Agenda under Item R-2.

Stipulation and Consent Orders, and Letters of Warnings Issued, once ratified by the Board shall constitute public records which may be disseminated as formal actions of the Board.

A. Decision on Accepting Proposed Consent Agreements

None

B. Decision on Accepting Proposed Letters of Warning Issued

None

C -8 ESTABLISH DATE AND TIME OF NEXT BOARD MEETING

Scheduled date of next Board Meeting

Thursday, October 20, 2011, at 9:00 a.m.

REGULAR AGENDA

R-1 DISCUSSION/ACTION ON EXECUTIVE DIRECTOR'S REPORT

- i. Board Office Highlights
- ii. Board Staff Highlights
- iii. Executive Director PDQ
- iv. Board Director Position

The Board took no action on these matters.

R-2 DISCUSSION/ACTION ON ITEMS REMOVED FROM THE CONSENT AGENDA

None

R-3 DISCUSSION/ACTION ON APPLICATIONS FOR LICENSURE/RENEWAL

A. Application for Licensure/Interview

- 1. **Lisa Almanza** Case Number A002779-12-010028

Ms. Almanza was present. The Executive Director provided an overview of Ms. Almanza's application, stating that she is eligible for licensure. After discussion, **Charles Ramirez** moved to grant Ms. Almanza a license to practice respiratory care. **Board Vice-Chair John O'Donnell** Seconded. **The motion passed unanimously.**

B. Temporary Application for Licensure/Interview

- 1. **Nathan Smith** Case Number A002830-12-000000

This Agenda Item was taken with Agenda Item R-4(6)

R-4 CONSIDERATION AND ACTION ON INVESTIGATIONS OF POSSIBLE UNPROFESSIONAL CONDUCT

- 1. **Mark Armstrong** Case Number C002798-12-007342

Mr. Armstrong was not present. The Executive Director explained the allegations against Mr. Armstrong. Mr. Armstrong was suspended from Banner Boswell Medical Center for miss therapy on patients. After discussion, **Becky Brimall** moved to issue a Formal Complaint and Notice of Hearing for Mr. Armstrong. **David Sanderson** seconded. **The motion passed unanimously.**

- 2. **Kenneth Barbarisi** Case Number C002698-11-007875

Mr. Barbarisi was not present. The Executive Director explained the allegations against Mr. Barbarisi. Mr. Barbarisi was denied a license in New Hampshire for failing disclose his criminal history. After discussion, **David Sanderson** moved to dismiss the allegation against Mr. Barbarisi. **Becky Brimhall** Seconded. **The motion passed unanimously.**

3. Giles Cassidy

Case Number C002797-12-000875

Mr. Cassidy was present. The Executive Director explained the allegations against Mr. Cassidy. After discussion, **Board Chair Bill Cohagen** moved to dismiss the complaint against Mr. Cassidy. **Board Vice-Chair John O'Donnell** seconded. **The motion passed unanimously.**

4. Stanford Higa

Case Number C002796-12-005444

Mr. Higa was not present. The Executive Director explained the allegation against Mr. Higa. Mr. Higa was terminated from St. Josephs Hospital and Medical Center for missing patient therapy. After discussion, **Charles Ramirez** moved to invite Mr. Higa to an Informal Interview. **Board Chair Bill Cohagen** seconded. **The motion passed unanimously.**

5. Jennifer Keenan

Case Number C002649-11-009014

Ms. Keenan was present. The Executive Director explained the allegations against Ms. Keenan. Ms. Keenan was terminated from Banner Desert Medical Center for HIPPA violations. After discussion, **Charles Ramirez** moved to invite Ms. Keenan to an Informal Interview. **Board Chair Bill Cohagen** seconded. **The motion passed unanimously.**

6. Nathan Smith

Case Number C002830-12-000000

Mr. Smith was present. The Executive Director explained the allegation against Mr. Smith. Mr. Smith is also on the agenda for a Temporary Application Interview. Mr. Smith worked 27 shifts without at a license at Trillium Specialty Hospital. After discussion, **Board Chair Bill Cohagen** moved offer Mr. Smith a Consent Order for working without a license and grant his Temporary license. **David Sanderson** seconded. **The motion passed unanimously.**

R-5 CONSIDERATION AND ACTION ON INFORMAL INTERVIEWS PURSUANT TO A.R.S. § 32-3553(G)

1. Enethers Brooks

Case Number C002772-11-007917

Ms. Brooks was present. The Board reviewed the allegations against Ms. Brooks.

After discussion, **Becky Brimhall** moved to dismiss the complaint against Mr. Brooks. **David Sanderson** seconded. **The motion passed unanimously.**

2. Rick Capranica

Case Number C002765-11-007415

Mr. Capranica was present. The Board reviewed the allegations against Mr. Capranica.

After discussion, **Board Vice-Chair John O'Donnell** moved to dismiss the complaint against Mr. Capranica. **Board Chair Bill Cohagen** seconded. **The motion passed unanimously.**

3. Lori Carson

Case Number C002763-11-007210

Ms. Carson was not present. The allegation against Ms. Carson is as follows:

- Ms. Carson was terminated from Phoenix Childrens Hospital, for providing therapy that was not ordered by a physician.
- Ms. Carson denies the allegations against her.

After discussion, **Becky Brimhall** moved to table Mr. Carson's Informal Interview. **Board Chair Bill Cohagen** seconded. **The motion passed unanimously.**

4. Melissa Etzel

Case Number C002777-11-008160

Ms. Etzel was present. The allegation against Ms. Etzel is as follows:

- Ms. Carson was convicted of a Public Intoxication and a Misdemeanor DUI in 2009.

After discussion, **David Sanderson** moved to issue a Letter of Concern. **Becky Brimhall** seconded. **The motion passed unanimously.**

5. Federico Flores

Case Number C002770-11-004594

Mr. Flores was present. The Board reviewed the allegations against Mr. Flores.

After discussion, **Board Vice-Chair John O'Donnell** moved to dismiss the allegation against Mr. Flores. **David Sanderson** seconded. **The motion passed unanimously.**

6. April Grace

Case Number C002745-11-007781

Ms. Grace was not present. The Board reviewed the allegations against Ms. Grace.

After discussion, **Board Chair Bill Cohagen** moved to dismiss the allegation against Ms. Grace. **David Sanderson** seconded. **The motion passed unanimously.**

7. John Piacente

Case Number C002782-12-006676

John Piacente was not present. The allegation against Mr. Piacente is as follows:

- Mr. Piacente was terminated from Scottsdale Healthcare – Shea for a positive back to work drug screen.

The Executive Director explained that Mr. Piacente may be deceased. After discussion, **Board Chair Bill Cohagen** moved to dismiss the allegation against Mr. Piacente, on the basis that the Board

office receives confirmation of Mr. Piacente's death. If it is to be found that Mr. Piacente is not deceased the allegations will be brought against him. **Board Vice-Chair John O'Donnell** seconded. **The motion passed unanimously.**

8. Gary Spragg

Case Number C002721-11-001455

Mr. Spragg was present. The allegation against Mr. Spragg is as follows:

- Mr. Spragg was terminated from Tucson Medical Center for disclosing a problem with prescriptions medication.
- Mr. Spragg also disclosed of citation for DUI. The DUI charge has been dismissed.

After discussion, **Board Chair Bill Cohagen** moved to table Mr. Spragg Informal Interview. **Becky Brimhall** seconded. **The motion passed unanimously.**

R-6 CONSIDERATION AND ACTION ON FORMAL COMPLAINT HEARINGS PURSUANT TO A.R.S. § 32-3553(H)

1. Karen Heckman

Case Number C002727-11-007860

Ms. Heckman was not present. Evidence was presented that Ms. Heckman was charge with multiple felonies in March and April of this year. After discussion, Board Chair moved to amend Ms. Heckman's Formal Complaint and Notice of Hearing. Becky Brimhall seconded. The motion passed unanimously. After further discussion, **Board Chair Bill Cohagen** moved to adopt Findings and Fact and Conclusions of law establishing Licensee's violation of A.R.S. § 32-3552(A)(3), A.R.S. § 32-3501(10)(a)(g)(i)(l), and A.A.C. R4-45-214-1,(1)(9). **Board Vice-Chair Becky Brimhall** seconded. After further discussion, **Board Chair Bill Cohagen** moved to **revoke** Ms. Heckman's license to practice respiratory care in Arizona. **David Sanderson** seconded. **The Motion passed unanimously.**

R-7 CONSIDERATION AND ACTION ON PREVIOUS BOARD ACTION Informal Interview Regarding Probation Compliance

1. Daniel Sutton

Case Number C002632-11-009435

Mr. Sutton was not present. Mr. Sutton requested to have his current order of probation modified at a previous Board meeting. The amended order of probation was returned to the Board office for an incorrect address. After discussion, **Becky Brimhall** moved to issue a Formal Hearing and Notice of Hearing. **Board Chair Bill Cohagen** seconded. **The motion passed unanimously.**

R-8 CALL TO THE PUBLIC

Those wishing to address the Board do not need to request permission in advance. Each person wishing to address the Board will be given five (5) minutes to do so. The Board can only take action on matters listed on the agenda. Persons who wish to raise issues or concerns not on the noticed agenda should be aware that the only

procedural action that can be taken is directing staff to study the matter or to schedule the matter for further discussion at a later date.

There was no public presentation to the Board.

R-9 ADJOURNMENT

Board Chair Bill Cohagen adjourned the meeting at 2:00 p.m., without objection

DATED this ____ day of September, 2011

David Geriminsky

Executive Director